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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 DANNIE RAY HILLHOUSE,

12 Petitioner,

13 vs.

14 KEVIN CHAPPELL,

15 Respondent.
16 _____/

No. CIV S-03-0142-MCE-CMK

DEATH PENALTY CASE

ORDER

17 Petitioner, a state prisoner proceeding with appointed counsel, seeks a writ of
18 habeas corpus pursuant to 28 U.S.C. § 2254.

19 The court currently has set an ex parte budget hearing on November 14, 2012, at
20 1:30 p.m. Petitioner's counsel has informed the court he is unavailable on that date due to other
21 court appearances. The court will therefore reset the ex parte budget hearing for November 28,
22 2012, at 1:30 p.m. Postponing this hearing will also necessitate the postponement of petitioner's
23 reply to the pending motion to expand the record. The deadline for the reply brief will therefore
24 be extended to December 17, 2012. The hearing on the motion to expand the record will also
25 need to be continued. The hearing will be continued from December 12, 2012, at 1:30 p.m., to
26 January 9, 2013, at 1:30 p.m.

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The ex parte budget hearing currently set for November 14, 2012, at 1:30
3 p.m., is continued to November 28, 2012, at 1:30 p.m.;

4 2. Petitioner's reply to the motion to expand the record shall be filed by
5 December 17, 2012; and

6 3. The hearing on the motion to expand the record is continued from
7 December 12, 2012, at 1:30 p.m., to January 9, 2013, at 1:30 p.m.

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9 DATED: November 9, 2012

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11 **CRAIG M. KELLISON**
12 UNITED STATES MAGISTRATE JUDGE
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